

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**CUSTOMER NO. 22927**

Applicants: Walker et al.  
Application No.: 09/221,099  
Filed: December 28, 1998  
Title: PRE-SALE DATA BROADCAST SYSTEM AND METHOD  
Attorney Docket No.: 98-112  
Confirmation No.: 5153  
Group Art Unit: 3621  
Examiner: Elisca, Pierre E.

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

**Mail Stop Issue Fee**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Examiner:

In response to the Reasons for Allowance contained in the Notice of Allowance mailed February 22, 2007 (Part of Paper No./Mail Date 20070201), please enter the following remarks in the application.

This document is filed by Applicants' representative on behalf of the present Applicants for patent. Accordingly, references in this document to "we," "us," "our," and the like will be understood as indicating the present Applicants.

**REMARKS**

The Patent Office has provided several comments under the heading “REASONS FOR ALLOWANCE” in the attachments to the Notice of Allowance. Applicants herein address these comments as authorized by MPEP §1302.14.

We note that the Examiner’s statement of the reasons for allowance includes a reference that was not cited against any pending claims: JP 20031500769 to Oshima Shigeki. As this reference was not cited in a rejection, Applicants decline to provide any specific comments on this reference.

The Examiner then notes that neither Deaton nor Oshima discloses a particular feature that is recited in the independent claims. While we believe that the recited feature is not taught by the references of record, we also note that: “The statement [of the reasons for allowance] is not intended to necessarily state all the reasons for allowance or all the details why claims are allowed and should not be written to specifically or impliedly state that all the reasons for allowance are set forth.” (See MPEP § 1302.14).

Applicants further note that to date the U.S. Patent and Trademark Office has not substantively addressed any of the arguments that were raised in the Appeal Brief filed on September 1, 2004, or the reasons for allowance contained therein. Applicants note that one or more of the unrebutted arguments presented in the Appeal Brief could just as easily have supported allowance of the application.

If any questions regarding the present application remain, the Examiner is cordially requested to contact Stephan Filipek at telephone number 203-461-7252 or via electronic mail at sfilipek@walkerdigital.com, at the Examiner’s convenience.

Respectfully submitted,

May 11, 2007  
Date

/Stephan J. Filipek, Reg. No. 33,384/  
Stephan J. Filipek  
Attorney for Applicants  
Registration No. 33,384  
sfilipek@walkerdigital.com  
(203) 461-7252 /voice  
(203) 461-7300 /fax